

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DEHAINA BAILEY,

Plaintiff,

- against -

CERTIFICATE OF SERVICE
07 Civ. 7781 (WHP)(FM)

THE CITY OF NEW YORK, DENNIS
O'SULLIVAN, JOSEPH BURKE, and "JOHN
DOE 1-4," the names being fictitious and
presently unknown, being Police Officers
employed by the City of New York,

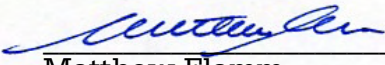
Defendants.

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STATE OF NEW YORK)
 : SS. :
COUNTY OF KINGS)

MATTHEW FLAMM, declares the following under penalty of perjury
pursuant to 28 U.S.C. §1746:

That on February 1, 2008, I served the FIRST AMENDED COMPLAINT
together with a NOTICE OF LAWSUIT AND REQUEST FOR WAIVER OF
SERVICE OF SUMMONS upon defendant Joseph Burke, Transit District 12, 460
Morris Park Avenue, Bronx, New York 10460 that being the employment
address and the address within the State theretofore designated for that
purpose, by enclosing same in a prepaid wrapper in a post office box
situated at 26 Court Street, Brooklyn, New York, regularly maintained by the
Government of the United States in said City as evidenced by the attached
executed Waiver of Service.



Matthew Flamm

Waiver of Service of Summons

TO: Matthew Flamm
26 Court Street, Suite 600
Brooklyn, New York 11242

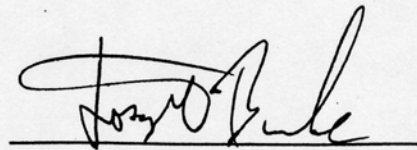
I acknowledge receipt of your request that I waive service of summons in the action of **Bailey v. City of New York and Others**, which is case number 07 CV 7781 in the United States District Court for the Southern District of New York for the first amended complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I be served with judicial process in the service of the summons.

I understand that a judgment may be entered against me if an answer or motion under Rule 12 is not served upon you within 60 days after

February 1, 2008.

2/5/08
Date


Signature

Printed/typed name: Joseph Burke